

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

VIA EFS

In Re Patent Application of:	:		
Ian Richard Anselm Peak <i>et al.</i>	:		
	:		
Conf. No.: 6450	:	Group Art Unit:	1645
	:		
Appln. No.: 09/771,382	:	Examiner:	Vanessa L. Ford
	:		
Filing Date: January 25, 2001	:	Attorney Docket No.:	8795-24U1
	:		(8615US2-MLE)

Title: MODIFIED SURFACE ANTIGEN

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER
37 C.F.R. § 1.27(g)(2) AND REQUEST FOR EXCUSED ERRONEOUS PAYMENT OF
PRIOR FEES AS SMALL ENTITY UNDER 37 C.F.R. § 1.28(c)**

Applicants, by their undersigned attorney, hereby notify the U.S. Patent and Trademark Office that they are no longer entitled to status as a small entity with respect to the above-identified patent application and that the claim for small entity status previously asserted is hereby withdrawn.

Applicants also request to be excused for paying fees as a small entity since the filing of this application, as the undersigned attorney was just recently informed by his Australian patent agent with whom he has been cooperating regarding the filing and prosecution of this application that rights to this application have been the subject of an option to and then an exercised license to a large entity. The prior designation as a small entity and the payment of all prior fees on a small entity basis have been by error without deceptive intention.

The information required by 37 C.F.R. § 1.28(c)(2) is set forth in the table on the next page of this document.

Date Paid as Small Entity	Type of Payment	Amount Paid as Small Entity	Large Entity Fees Due As of June 8, 2007	Fees Deficiency
July 13, 2001	Filing Fee	598	**2,460	1,862
July 13, 2001	Surcharge-late filing	65	130	65
July 13, 2001	Extension of Time 1 month	55	120	65
June 30, 2003	RCE	375	790	415
June 30, 2003	Extension of Time 3 months	465	1,020	555
April 12, 2004	Extension of Time 3 months	475	1,020	545
Jan. 24, 2005	RCE	395	790	395
Jan. 24, 2005	Extension of Time 3 months	510	1,020	510
Oct. 5, 2005	Extension of Time 3 months	510	1,020	510
July 10, 2006	Notice of Appeal	250	500	250
July 10, 2006	Extension of Time 3 months	510	1,020	510
Dec. 11, 2006	RCE	395	790	395
Dec. 11, 2006	Extension of Time 2 months	225	450	225
TOTAL DEFICIENCY				\$6,302

** Large entity filing fee calculated as follows as of Preliminary Amendment filed July 13, 2001:
Basic filing fee: \$300; 12 total claims > 20: \$600; Multiple dependent claims: \$360; 54 pages
greater than 100 pages (including specification, sequence listing and drawings): \$500; Utility
search fee: \$500; Utility Examination fee: \$200; Total large entity filing fee = \$2,460

The deficiency in the amount of \$6,302, as well as any further deficiency in this
calculation , is authorized to be charged, and any refund due if the amount calculated is incorrect,
is authorized to be credited, to the undersigned attorney's law firm's Deposit Account No.
501017.

In view of the information and authorization to pay the deficit based on the erroneous designation as a small entity as set forth above, excuse of such erroneous designation without deceptive intent is respectfully requested.

Respectfully submitted,

IAN RICHARD ANSELM PEAK *et al.*

June 8, 2007 By: 
(Date)

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